

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
LINDSAY JENKINS,

Plaintiff,

-against-

BRUCE EATON, NEILL PARKER,
ELIZABETH MURPHY, FOREST HILLS
GARDENS CORPORATION, STEPHEN
THOMAS, MAY SCHONHAUT,
PATRICIA LANCASTER, DEREK LEE,
SANDRA BUTLER, and JOHN DOE/JANE
ROE,

Defendants.

-----X
NICHOLAS G. GARAUFIS, United States District Judge.

Defendants Bruce Eaton, Neill Parker, Elizabeth Murphy, Forest Hills Gardens Corporation, Stephen Thomas, May Schonhaut, Patricia Lancaster, Derek Lee, Sandra Butler and John Doe/Jane Roe (collectively, the "FHD Defendants") move for attorney's fees against pro se Plaintiff Lindsay Jenkins. (Docket Entry # 74.) The court referred Defendants' motion to Magistrate Judge Lois Bloom for a Report and Recommendation. (Docket Entry # 66.) On August 25, 2010, Judge Bloom recommended that the court deny Defendants' motion for attorney's fees and order Plaintiff to show cause as to why a filing injunction should not be entered against her. ("R&R" (Docket Entry # 80).)

Objections to Judge Bloom's R&R were due on September 13, 2010. See Fed. R. Civ. P. 72(b)(2). No party objected before that date. By letter dated September 17, Plaintiff seeks a retroactive extension of the objection deadline to allow her to object "to entry of a litigation injunction." (Docket Entry # 81 at 1.) The court denies that request both as untimely and

unnecessary. Judge Bloom's R&R recommends that the court order Plaintiff to show cause as to why a filing injunction should not be granted, not that the court immediately enter such an injunction. Issuance of an order to show cause will afford Plaintiff every opportunity to set forth reasons why the court should not enter an injunction.

Although Plaintiff's letter is, in substance, a request for an extension of time and not an actual objection to the R&R, the court has nonetheless reviewed the R&R de novo. See Fed. R. Civ. P. 72(b); 28 U.S.C. § 636(b)(1). The court now adopts Judge Bloom's thoroughly reasoned R&R in its entirety. Defendants' motion for attorney's fees is denied. Plaintiff is ordered to show cause within 30 days why she should not be enjoined from filing any future action, pleading, amended pleading, motion, or appeal in the federal courts without first obtaining leave of court to do so.

SO ORDERED.

Dated: Brooklyn, New York
September 24, 2010

s/Nicholas G. Garaufis

NICHOLAS G. GARAUFIS
United States District Judge